



Freshfields Bruckhaus Deringer US LLP

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VIA ECF

May 18, 2012

Honorable Judge Richard H. Kyle
United States District Court
District of Minnesota
772 Federal Building
316 N. Robert Street
St. Paul, MN 55101

Re: *Robyn Smith, et al. v. Blitz USA., Inc., et al.* (Case No. 0:11-cv-01771)

Dear Judge Kyle:

I represent Defendants Kinderhook Industries, LLC and Kinderhook Capital Fund II, L.P. (the "Kinderhook Defendants") in the above-captioned matter and write in response to Plaintiff's letter dated May 17, 2012 [Docket No. 85].

As Plaintiff's letter to the Court states, Plaintiff's counsel contacted me earlier this week and again yesterday morning regarding the citizenship of the Kinderhook Defendants. During the call yesterday morning, I informed Plaintiff's counsel that I had an appointment in a court yesterday and that I would be in a position to respond to the requests later in the day or today — and I will.

The Kinderhook Defendants will continue to work with Plaintiff to ensure that Plaintiff is able to respond to the Court's order in a timely fashion. There is thus no need for the Court to order expedited jurisdictional discovery.

Respectfully,

A handwritten signature in dark ink, appearing to be "TH", written over a horizontal line.

Timothy P. Harkness

The Freshfields Bruckhaus Deringer US LLP partners include members of the Bars of the State of New York and the District of Columbia, Solicitors of the Supreme Court of England and Wales and Rechtsanwälte of Germany

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